

05-16-05

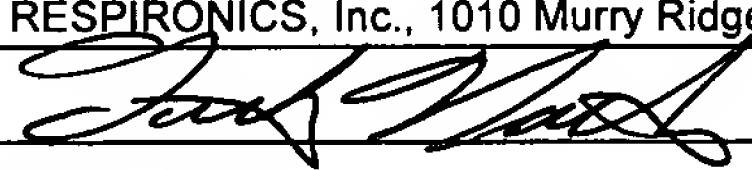
05-16-05

Mail Stop Amendment TRANSMITTAL FORM (To be used for all correspondence after initial filing) MAY 13 2005 PATENT & TRADEMARK OFFICE	Application Number	09/781,610	
	Filing Date	February 12, 2001	
	Confirmation Number	3883	
	Inventor(s)	DENYER et al.	
	Group Art Unit	3731	
Express Mail Label No.: EL 997385955 US		Examiner	Mendoza, M.
Total Number of Pages in This Submission: 8		Attorney Docket No.	00-41 RCE

ENCLOSURES (check all that apply)

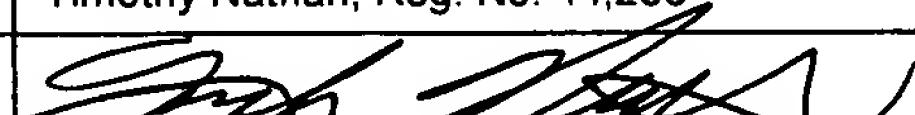
<input type="checkbox"/> Fee Transmittal Form (submit in duplicate) <input type="checkbox"/> Fee Attached \$ <input type="text"/> Check No.: <input type="text"/>	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input type="checkbox"/> Search report	<input checked="" type="checkbox"/> Other Enclosure(s): <u>European Communication</u>	
<input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal		

Current Due Date: May 15, 2005**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668		
Signature			
Date	May 13, 2005		

CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : DENYER et al.
Appln. No. : 09/781,610
Conf. No.: : 3883
Filed: : February 12, 2001
Title: : CONTROLLING DRUG DELIVERY APPARATUS
Group Art Unit : 3731
Examiner : Mendoza, M.
Docket No. : 00-41 RCE

* * * * *

May 13, 2005

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

I hereby certify that each enclosed document listed on the herewith Form PTO-1449 was cited in the attached European Communication, dated February 15, 2005, issued in a counterpart foreign application not more than three months ago.

In compliance with 37 C.F.R. § 1.98, Applicant is not required to provide a copy of any U.S. Patent or U.S. Patent Application publication listed in the accompanying form PTO-

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on May 13, 2005 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

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Timothy Nathan, Reg. No. 44,256


DENYER et al. -- Appln. No.: 09/781,610

1449. However, Applicant will make available to the Examiner a copy of any document listed in the attached PTO-1449 form not otherwise available.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By 
Timothy Nathan
Reg. No.: 44,256
Tel. No.: (724) 387-4435
Fax No.: (724) 387-5021

RESPIRONICS, INC.
1010 Murry Ridge Lane
Murrysville, PA 15668-8525
1-800-638-8208

PTO/SB/08 Form (RESPIRONICS Version)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Application No.

09/781,610

Filing Date

February 12, 2001

Inventor

DENYER et al.

Confirmation No.

3883

Group Art Unit

3731

Date _____

May 13, 2005

Examiner:

Mendoza, M.

Sheet

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of

1

Attorney Docket No:

00-41 RCE

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				
	B	WO 01/08106	02-01-2001	Momich et al.		
	C	WO 92/17231	10-15-1992	Haver et al.		

Examiner Signature		Date Considered	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.